

REMARKS

A. Claim rejections – 35 U.S.C. §112, first paragraph

Claims 1, 31, 32, 38-46, and 48 are rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. The Office Action states that the claims are enabled for an isolated nucleic acid consisting of the nucleotide sequence set forth in SEQ ID NO: 1 or SEQ ID NO:11, or an oligonucleotide consisting of at least 50 contiguous nucleotides of either of these sequences, or a full length complement of either of these sequences. Applicant notes that the reference to SEQ ID NO:11 appears to be in error, because SEQ ID NO:11 is an amino acid sequence. Applicant will assume that this statement is meant to refer to SEQ ID NO:10, a nucleotide sequence encoding DS-CAM2. The Office Action goes on to state that the claims are not enabled for all nucleic acids encoding SEQ ID NO:2 or SEQ ID NO:11, all nucleic acids that are fragments of these, isolated nucleic acids with the sequences set forth in SEQ ID NO:7, SEQ ID NO:8, or SEQ ID NO:9, or nucleic acids that are fragments of these.


Applicant has amended the claims such that they are now drawn to the nucleotide sequences set forth in SEQ ID NO:1 or SEQ ID NO:10, the coding region of SEQ ID NO:1 or SEQ ID NO:10, oligonucleotides consisting of at least 50 contiguous nucleotides of SEQ ID NO:1 or SEQ ID NO:10, or the full length complement of any of these sequences.

CONCLUSION

In view of the foregoing, it is submitted that the present claims are in condition for allowance. Accordingly, Applicant respectfully requests that a Notice of Allowance be issued.

Respectfully submitted,
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